

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

KENNY L. KING,	)	
	)	
Plaintiff	)	
	)	
vs.	)	No. CIV-06-1123-C
	)	
STEPHENS COUNTY SHERIFF,	)	
	)	
Defendant	)	

ORDER OF DISMISSAL WITHOUT PREJUDICE

On October 31, 2006, United States Magistrate Judge Doyle W. Argo entered a Report and Recommendation recommending that this § 1983 action, brought by a pretrial detainee, pro se, be dismissed upon filing. On December 12, 2006, this Court entered an order observing the receipt of an ambiguous letter from Plaintiff, and accordingly extending the time to object for thirty days and directing the re-mailing of all relevant documents to Plaintiff. In further correspondence, postmarked December 28, 2006, Plaintiff sent a letter, accompanied by certain evidentiary items – copies of state court pleadings and orders, photographs of a house, two quit claim deeds, and a newspaper article. Plaintiff's letter contains no legal or factual objection to the findings and recommendations of Judge Argo; nor does it explain any right to relief in this Court. Because it is clearly in response to the Report and Recommendation, however, the Court will treat it as an objection, and consider the matter de novo.

As stated above, Plaintiff takes no apparent issue with any explanation of fact or law set out in the Report and Recommendation. The Court finds both to be accurate. Moreover, Plaintiff does not assert any theory which would require or permit a different conclusion.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted, in its entirety, and for the reasons stated therein, this action is dismissed, without prejudice. The Court Clerk is directed to scan the items received in the envelope postmarked December 28, 2006, and maintain them as part of the electronic record herein, returning the originals to the address on the envelope.

IT IS SO ORDERED this 30th day of January, 2007.

  
ROBIN J. CAUTHRON  
United States District Judge